

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JOSEPH ROSEMOND,
Plaintiff,

V.

STOP AND SHOP SUPERMARKET
COMPANY,
Defendant.

C.A. No. 04-30072-KPN

**ASSENTED TO MOTION FOR EXTENSION OF DISCOVERY DEADLINE
AND SCHEDULING ORDER**

Pursuant to Fed. R. Civ. P. 6(b) and Local Rule 7(b), Defendant Stop & Shop (“Defendant”) hereby moves this Court for an extension of twenty-eight (28) days to complete non-expert depositions in the above-captioned action. As grounds for this motion, Defendant states as follows:

1. Plaintiff, through his counsel, has expressly assented to this Motion.
2. Non-expert depositions in this matter are scheduled to be completed on or about January 10, 2005.
3. The parties have made significant progress toward completing discovery. They have exchanged written discovery requests and Defendant has conducted the Plaintiff's deposition.
4. The Plaintiff has noticed twelve depositions and the scheduling and coordination of the depositions has been difficult because of the availability of witnesses and counsel.
5. The period between Thanksgiving and New Year's Day is Defendant Stop & Shop's busiest time of the year. The parties currently have a schedule in which to conduct the majority of remaining depositions over the next several weeks. Because of the availability of

Defendant's witnesses, Defendant's business needs, and the parties' need to schedule the remaining depositions, the parties require additional time to complete non-expert depositions.

6. Should the Court grant the parties' requested discovery extension, the deadline for completing non-expert depositions will be February 7, 2005.

WHEREFORE, Defendant respectfully requests that this Court allow its assented-to motion to extend the time by twenty-eight (28) days to February 7, 2005 to complete discovery.

Respectfully submitted,

ASSENTED TO:

STOP & SHOP SUPERMARKET CO.

JOSEPH ROSEMOND

By its attorney,

By his attorney,

/s/ Yvette Politis

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/s/ Tani Sapirstein

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(413) 827-7500

DATED: December 7, 2004

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CERTIFICATE OF SERVICE

I, Yvette Politis, hereby certify that I have, on this December 7, 2004, sent a copy of the foregoing document to plaintiff's counsel of record by prepaid first class mail.

/s/ Yvette Politis

Yvette Politis